GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services - Agriculture & Cooperation Department – Disciplinary Cases – Sri S.Sekhar Babu, the then Assistant Director of Agriculture (R), Kandukur – Allegations of non-handing over the Charge of the Post of Assistant Director of Agriculture (R), Kandukur and Assistant Director of Agriculture, SMF, Chinapavani; non-submission of records and vouchers pertaining to SMF, Chinapavani and pending of non-subsidy dues etc. - Departmental proceedings initiated under Rule 20 of the A.P.Civil Services (CC&A) Rules, 1991 – Charges held proved – Subsequently retired on 30.04.2021 - Imposition of the Penalty of "Withholding of (5) % of Pension for a period of (3) Years", besides recovery of Rs.85,175/- & Rs.1,70,218/ from his Retirement Gratuity, under rule 9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

AGRICULTURE & COOPERATION (VIG.I) DEPARTMENT

G.O.Rt.No.633 **Dated:10/10/2024**

Read the following:

Ref:
1. From the Joint Director of Agriculture, Prakasam, Rc.No.Estt.1/274/ 2017, dt.08.01.2019.
2. Memo.No.AGC01-32037(32)/2/2019,dt.20.08.2019, O/o C & DA, A.P., Guntur.
3. Letter Rc.No.Estt.I/274/2017, dt.19.09.2019 of Joint Director of Agriculture, Ongole, Prakasam District.
4. Memo.No.AGC01-32037(32)/2/2019–(1),dt.30.12.2019, of C & DA, A.P., Guntur.
5. Memo.No.AGC01-32037(32)/2/2019–(2), dt.30.12.2019, O/o C & DA, A.P., Guntur.
6. Rc.No.2/DDA(Agro)/Enquiry Officer/2020, dt.07.01.2021 of Sri S. Srinivasa Rao, Deputy Director of Agriculture (Agro), O/o Joint Director of Agriculture, Prakasam district & Inquiring Authority.
7. Memo.No.AGC01-32037(32)/2/2019, dt.25.01.2021, O/o C & DA, A.P., Guntur.
8. Letter Rc.No.Estt.I/274/2017, dt.12.02.2021 of Joint Director of Agriculture, Ongole.
9. From the Special Commissioner of Agriculture, A.P., Guntur, Letter No. AGC02-32027(32)/2/2019, dt.15.11.2023.
10. From the Special Commissioner of Agriculture, A.P., Guntur, Letter No.AGC02-32027(32)/2/2019, dt.11.01.2024.
11. Govt.Memo.No.AGC01-AGRI/407/2023/Vig.I, A & C (Vig.I) Dept., dt.04.04.2024.
12. From the Director of Agriculture, A.P., Guntur, Lr.No.AGC02-32027(32) /2/2019, dt.30.07.2024.

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In the reference 1st read above, the Joint Director of Agriculture, Prakasam, has requested the Special Commissioner of Agriculture, A.P., Guntur, to initiate action against Sri S.Sekhar Babu, the then Assistant Director of Agriculture ®, Kandukur for not handing over the charge pertaining to Assistant Director of Agriculture ®, Kandukur & Assistant Director of Agriculture, SMF, Chinnapavani and non-payment of non-subsidy amount of Rs.85,175/- to AP MARKFED, Ongole and Rs.1,70,218/- to APSAIDC.

2. Accordingly, in the reference 2nd read above, the Special Commissioner of Agriculture, A.P., Guntur, has initiated disciplinary action, under A.P. Civil Services (CCA) Rules, 1991, against Sri S.Sekhar Babu, the then Assistant Director of Agriculture®, Kandukur, by issuing Articles of Charge, with a direction to submit his Written Statement of Defense (WSD), duly accepting/denying the Charges framed against him.

3. In the reference 3rd read above, the Joint Director of Agriculture, Ongole, Prakasam District has informed that, Sri S.Sekhar Babu, the then Assistant Director of Agriculture®, Kandukur, has acknowledged the Articles of Charge, but he has not submitted his Written Statement of Defense(WSD).

(P.T.O.)

4. Hence, as further course of disciplinary action, the Commissioner & Director of Agriculture, A.P., Guntur has appointed Sri S.Srinivasa Rao, Deputy Director of Agriculture (Agro), O/o Joint Director of Agriculture, Prakasam District, as Inquiring Authority, under sub-rule (2) of rule 20 of A.P. Civil Services (CC&A) Rules, 1991, in the reference 4th read above, to inquire into the Charges framed against Sri S.Sekhar Babu, the then Assistant Director of Agriculture®, Kandukur.

5. In the reference 5th read above, the Commissioner & Director of Agriculture, A.P., Guntur has also appointed Sri M.Seshagiri, Assistant Director of Agriculture®, Kandukur, Prakasam District, as Presenting Officer, under sub-rule (5) (c) of rule 20 of the A.P. Civil Services (CC&A) Rules, 1991, to present the case of Sri S.Sekhar Babu, the then Assistant Director of Agriculture®, Kandukur, before the Inquiring Authority, on behalf of the Disciplinary Authority.

6. In the reference 6th read above, the Inquiring Authority has submitted, the enquiry report and stated that charges framed against Sri S.Sekhar Babu, the then Assistant Director of Agriculture®, Kandukur are held proved.

7. In the reference 7th read above, the Commissioner & Director of Agriculture, A.P., Guntur has communicated a copy of the inquiry report to the Charged Officer Sri S. SekharBabu, the then Assistant Director of Agriculture®, Kandukur and in the reference 8th read above, the Joint Director of Agriculture, Ongole has forwarded only the dated acknowledgement of the Charged Officer, stating that the Charged Officer has not submitted any representation on the enquiry report.

8. In the reference 9th read above, the Special Commissioner of Agriculture, A.P., Guntur, has informed the Government that the said Charged Officer Sri S.Sekhar Babu, the then Assistant Director of Agriculture ®, Kandukur has retired from public service on 30.04.2021, on attaining the age of superannuation and the District Agricultural Officer, Prakasam, has informed that the Charged Officer has not remitted the non subsidy amount of Rs.85,175/- to AP MARKFED, Ongole and Rs.1,70,218/- to APSAIDC and requested to take necessary action.

9. In the reference 10th read above, the Special Commissioner of Agriculture, A.P., Guntur, has stated that he has agreed with the findings of the Inquiring Authority and requested the Government to take further action against Sri S.Sekhar Babu, the then Assistant Director of Agriculture ®, Kandukur and subsequently retired as per the Rule 9 of AP Revised Pension Rules, 1980.

10. The Government, after careful examination of the matter, have decided to impose the Penalty of "Withholding of (5)% of Pension for a period of (3) years", against Sri S. Sekhar Babu, the then Assistant Director of Agriculture ®, Kandukur and subsequently retired, under rule 9 of A.P. Revised Pension Rules, 1980, for the Charges held proved against him, besides recovery of Rs.85,175/- & Rs.1,70,218/- from his Retirement Gratuity and accordingly issued a Notice, in the reference 11th read above, with a direction to show-cause as to why the said penalty should not be imposed against him, along with recovery of the said amount, under rule 9 of A.P. Revised Pension Rules, 1980, for the Charges held proved.

11. In the reference 12th read above, The Director of Agriculture, A.P., Guntur has submitted the dated acknowledgment and representation dt.13.06.2024 of Sri S. Sekhar Babu, the then Assistant Director of Agriculture ®, Kandukur and subsequently retired in which the latter has not denied for imposing the said penalty, but requested to release of his pension and gratuity.

12. The Government have examined the representation of Sri S. Sekhar Babu, the then Assistant Director of Agriculture ®, Kandukur and subsequently retired and observed that he has not denied the proposed penalty and also not produced any new material or evidence that has the effect of changing the nature of the case and hence decided to impose the said penalty, along with recovery of the said amount from his Retirement Gratuity.

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13. Accordingly, the Government, hereby, impose the Penalty of "Withholding of (5) % of Pension for a period of (3) years", against Sri S.Sekhar Babu, the then Assistant Director of Agriculture ®, Kandukur and subsequently retired, under rule 9 of A.P. Revised Pension Rules, 1980, for the Charges held proved against him, besides recovery of Rs.85,175/- & Rs.1,70,218/- from his Retirement Gratuity.

14. The Director of Agriculture, A.P., Guntur shall take necessary further action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
The Director of Agriculture, A.P., Guntur.
Sri S.Sekhar Babu, the then Assistant Director of Agriculture ®, Kanduku
and subsequently retired.
(through the Director of Agriculture, A.P., Guntur)

Copy to:
The Prl. Accountant General, A.P., Vijayawada.
The Director of Treasuries & Accounts, A.P., Mangalagiri, Guntur District.
The District Treasury Officer, SPSR Nellore.
The Joint Director of Agriculture, SPSR Nellore.
The OSD to Minister for Agriculture, A.P.
Sf/Sc.

//FORWARDED BY ORDER //

SECTION OFFICER